

Lower Paxton Township
PLANNING COMMISSION

MEETING MINUTES

June 05, 2013

COMMISSIONERS PRESENT

Frederick Lighty
Ernest Gingrich
Roy Newsome
Dennis Guise
Robin Lindsey
Richard Beverly

ALSO PRESENT

Dianne Moran, Planning & Zoning Officer
Stephen Fleming, Township Engineer, HRG Inc.

CALL TO ORDER

Mr. Lighty called the regular meeting of the Lower Paxton Township Planning Commission to order at 7:00pm, on the above date in Room 171 of the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mrs. Lindsey led the recitation of the Pledge.

APPROVAL OF MINUTES

Mr. Newsome made a motion to approve the meetings minutes from April 3, 2013. Mr. Gingrich seconded the motion, and a unanimous vote followed.

OLD BUSINESS

**Preliminary/Final Land Development Plan for Longhorn Steakhouse #13-06
90 Day Approval Deadline July 29, 2013**

Ms. Moran stated that The Township had received a plan for the development of a new Longhorn Steakhouse Restaurant. The restaurant will be located in the Sears parking lot at the Colonial Park Mall. The property is zoned CG, Commercial General, consists of 12,459 acres and is served by public sewer and public water. The plan proposes a 6,275 square foot restaurant on a leased area of 0.3470 acre. The plan shows a reduction of 4,683 square feet in impervious coverage. The plan also proposes a sidewalk

and street trees along the new development frontage as well as interior landscaping. The property is located north of U.S. Route just east of Colonial Road.

This plan was tabled at the May 1, 2013 Planning Commission meeting in order to give the applicant time to address the outstanding comments.

Waiver Requests:

The applicant has requested the following waivers:

1. Waiver of the requirement to provide a preliminary plan [180.303a] Staff Supports
2. Waiver of the requirement to provide landscaping within all landscaped islands throughout the 12.4597 acre site. [180-515C. (4).] Staff Supports.

Brett Mashchak, Site Development Manager was present on behalf of Longhorn Steakhouse.

Mr. Mashchak explained that they reviewed all the comments the only one we have an issue with is the improvement of the entrance drive to the center. At this time it is safe to say that PENN DOT is in support of that with our discussion with PENN DOT has no issue with the drive as it exist today and they are fine with it. That is the only thing that we are asking for if it has to go forward that is not something were looking forward to do.

Steve Fleming HGR INC

Mr. Fleming stated that he had a conversation with the guy from PENN DOT and they stated improvements to the property and could not comment private property improvements until after the records were revised. To removing temporary measurements that were taken along the access drive and along the middle guardrail on the front side with the cones and barrels that are placed there periodically by Sears.

Mr. Lighty said if you recall from the last time this board felt that they want to beautify the entrance on the front and side needs work. Why are there objections?

Mr. Mashchak said I would just like to tell the board I'm not sure if your familiar with the history of this but we actually came to the board the supervisors three times last year to discuss this issue at that time the board of supervisors could not act upon anything the discussion there were that they could be in support of possibly not redo the drive since were doing so much more to the beautification of that frontage along there including the reworking of the second drive entrance on that site at the request of PENN DOT our meeting of the board supervisors was if PENN DOT had requested any changes with these issues with m we are looking at two drives PENN DOT stated that they wanted something done with the second drive we have addressed that we like to work with PENN DOT and we think the changes with that along with all the landscaping in that area justifies not going into a greater area of 12.45 acre site.

Mr. Lighty will you refresh my memory from the last time you asking for a waiver landscaping in the islands.

Mr. Mashchak essentially it is a waiver of landscaping so we do not have to go and redo every island upon 12.45 acres in Sears parcels. So it's just that we are working within our boundaries of our lease areas and some of our greater areas where we can figure parking to add landscaping and do the work in

that area the request is not to have to go out behind Sears beside Sears to redo everything in the parking lot to bring it up to code.

Mr..Lighty asked if the Commissioners have any questions?

Mrs. Lindsey ask if they are going to keep the Two-Way stop.

Mr. Fleming states that is part of the circulation that the parking lot serves as a cut through on the corner of Intersection 22 and Colonial Road and has a lot of traffic during certain peak times it's not ideal signs knocked over. Curbing and landscaping is recommended with some signage will make it better.

Mr. Newsome stated the landscaping along 22 it was an issue on maintaining our required spacing of the trees and maintain the exposure.

Mr. Fleming we require every 50ft instead of 75ft and increase the number of trees.

Mr. Gingrich stated regarding that intersection and improving that is something Sears has to decide and become made aware of.

Mr. Fleming stated Sears is the owner of the entire property including the lease area and thought them signing off and approving the plan which has been submitted for the project that we publically have assigned the proposed plan.

Mr. Mashchak stated they would have to go back to Sears and have a lease agreement with them that they have to plan a site plan showing improvements that we are planning to do today any changes of plans outside of the area and from an amendment to the lease agreement we would have to get the approval on those changes. Were just discussing possibly the continuous strain on the left turn with the stop coming one direction and a stop coming in and it's just adding a stop bar or a stop sign to direct traffic.

PUBLIC COMMENT

Mr. Lighty asks if there's any questions?

Mr. Fleming said there is nothing further except what I already stated about the landscaping along the entrance and has not been an alternative.

There were no other comments from the audience.

COMMISSIONER COMMENT

Mr. Lighty asked any comments from the Township Commissioners

Mr. Guise asked the Engineer do you think that these plans are better.

Mr. Fleming says the Longhorn Steakhouse is proposing to remove the curbing and add landscaping at the intersection of the entrance and stopping at some point around the entrance area and leave the existing middle guiderail on the left to facilitate that access drive we are proposing to remove the guiderail from the perpulaer both sides of the landscaping between the right side of the access drive and then on the right hand side of the access drive we propose curbing and landscaping strip on that side as well closing off the entrance that Sears has right after the intersection.

Mr. Gingrich states to the Engineer to look at the plan and revise the plan.

Mr. Fleming said Brett indicated that they do not want to make that improvement so it's not shown on the plan that we requested so the township would like to require that improvement and not grant them that they would have to revise the plan.

Mr. Lighty and Mr. Gingrich said that there would have to be a waiver requested.

Mr. Guise recommends of the approval of the Final Land Development Plan for Longhorn Steakhouse #13-06. We accept the approval of the waiver accept the waiver with implements of landscaping, parking and curbing we recommend that comment 19 and township commissioners comments.

Mr. Lighty asked for a 2nd motion. Mr. Newsome 2nd the motion. And they all said I.

Montrail

Ordinance 13-02 Zoning Amendment

&

Resolution 13-12 Comprehensive Plan

The Pennsylvania Municipality Planning Code (MPC) provides that if the Municipality ordinance amends its zoning ordinance in the manner not consistent with the Future Land Use Plan within the Comprehensive Plan shall amend its Comprehensive Plan In accordance with Article III of the MPC.

The applicant proposes the 2004 Comprehensive Plan of Lower Paxton be amended by changing Map 12: Future land Use and Transportation, to reflect the change of the subject property from Institutional Campus to Low/Medium Density Residential. The Future Land Use is not consistent with the current or proposed zoning designation of the property. The proposed Low/Medium Density Residential will act as a transition between the institutional areas to the west, the Medium/High Residential District areas to the north west and south and the Low/Medium Residential District areas to the northeast and East.

The proposed amendment is consistent with the Dauphin County Comprehensive Plan of 2008.

Ordinance 13-02 Application for amendment for the zoning for Montrail First Line Development Two INC, Parcel 35-067-098 the north side of Union Deposit Road and west of Page Road Extended.

The Township has received an application to amend the Township Zoning Map for a Parcel Plan that encompasses approximately forty-Four (44) acres of land north of Union Deposit Road and west of Page Road Extended. The applicant is requesting that the current R-1, Low Density Residential District be rezoned to R-2 Medium Density Residential District.

The applicant is also requesting minor adjustments to the Zoning Ordinance Section 307.A (TABLE) to allow reduced minimum lot area, minimum lot area width and minimum side yard setback requirements.

It is the intent to develop the property with a mixture of townhouses and single-family detached dwellings. The requested dimensional requirements will allow for more common open space by reducing the amount of required yard between townhouse and single-family detached dwellings. The proposed development will act as a transition between the institutional areas to the west, the Medium/High Residential District areas to the northwest and south and the Low/Medium Residential District areas to the northeast and east.

The proposed amendment is consistent with the Dauphin County Comprehensive Plan of 2008.

The applicant tabled this application at the April 3, 2013 meeting in order to address concerns expressed by Planning Commission members. A revised packet of information is attached. Mr. Lucas attended that meeting and County meeting to represent this application.

Ron Lucas Stevens & Lee Lawyers & Consultants Harrisburg representing the applicant Chris Schoonmaker from S & A Homes is here Richard Leatham, Jeffrey Staub, Gregory Creasy Civil Engineer and Traffic Engineer. In April I recommended against the approval of the ordinance this past Monday they voted 9-0 to recommend approval of both the ordinance change and the resolution to amend the Comprehensive Plan so they are supportive of it at this time. We submitted with our packet a letter dated May 9, 2013 to Dianne Moran Zoning Officer and in the letter I tried to list the concerns that we heard from Township Planning Commission and Dauphin County Planning and we tried to address those concerns we also made Two technical changes to the Ordinance and that was we tried to be sure that there would be adequate buffer to the rear of the Townhouse Lots as we described it would be where there would be family detached dwellings. We added a provision in there that in the rear yards of the Townhouses to support the family detached dwellings in this type of development in addition to the 25ft building set back there must be a distance of 55 feet from the rear property line known as impervious surfaces so that means there will be no patio no building no swimming pool which is far greater than a single family detached dwelling with just a 25ft set back we wanted to put in for the forcible for the Township what we said we would do and what this open space development will do.

We also added a provision that in this type of development it is required that a minimum of 30% of the dwellings has to be single-family detached dwellings they can't be all townhouses. We also added a provision that the maximum track has to be 50 acres we have 44 acres but as you know about 14 or 15 of it is on the other side of the wetlands appoint to be left natural. Chris and Rich did meet with the school district last week and I will let him describe the outcome of that meeting.

Mr. Schoonmaker stated met with the Athletic Director Greg Colebrook and the Cross Country Coach Jim Sidler we had a meeting with them last week and discussed that area as we spoke two months ago when we were here our intensions are not to develop the are the figure portion which is the darker green one of the other things we discussed was doing a wooden mulch track/walking path that would be an amenity for the neighborhood and could also be used for the school as well.

Mr. Schoonmaker showed a map drawing that displays that it would be about a mile they would work through here and we would have access coming through the townhouses and we would have access from the single family here as well this would be a little bit of a community garden we want to enhance as you remember there's a lot of wetlands here and we want to use it as an amenity to the neighborhood community garden here and a little gazebo here most importantly from that aspect it's about a mile there and the School District is in favor of it in terms of and using that we will be working with the Facility Director in terms as working out the details and said the Cross Country Coach and the Athletic Director and it was well received.

Mr. Lucas stated that the School District doesn't want buy it back and if you offered it to them they wouldn't take it back so this working something out and Chris also talked to them about to leave that area natural they would actually prefer that don't want it in terms of cross country prospective leaving it natural and obviously in terms of mulch it works out well for surface for them. It works out well for the amenities of the neighborhood but also works well for the School District. We will be working with the Facility Director to get all the appropriate assurances and those types of things there is no reason we can't start working on that directly.

Mr. Lucas stated the letter went through trying to address concerns as we recall for the Township Planning Commission. Mr. Lucas stated he did not want to go through the list of nine concerns but is willing to answer any questions. Chris had another evaluation we talked about the market and what market we are trying to reach.

Mr. Schoonmaker stated one of the questions was the question between townhouses and single family detached dwellings and we can hand it out and I will speak about it briefly is the price point the townhouses start at \$185,000 range and the single family detached dwellings start at \$240,000 range many of the products within that range you will find within the township are existing products and are 18 to 25yrs old in terms of products within the township. In terms of 2012 61% of the homes that were sold were 552 homes 61% were below the \$185,000 price point. In the price point that were looking at there is only 10% which were non-age restricted only 20% of the price point was above the \$280,000 range the focus for us a new construction buyer a first move-up buyer and a lot of times it could be a move-down buyer somebody that in a 3000sqft home that wants to be on a smaller lot likes to have their own yard put something that they don't want to maintain an acre anymore something a little smaller that is the target market we are going after and we think there's a need there. If you look at the numbers from 2013 through May 10, 2013 64% of the Market is below \$185,000 range so were finding that the numbers from 2012 through 2013 are consistent the key market that we are going after is a person whose looking for new construction and a move-up buyer/move-down buyer someone who wants a nice yard and a little less to maintain and still wants a have something to take care of.

Mr. Lighty said thank you for the information that's exactly what I was asking about last time it really proves of something's that I was fearful of are not necessarily so I really thank you for doing your work and coming back and putting this together for this is the opposite reason.

Mr. Schoonmaker said to Mr. Lighty your welcome I appreciate the feedback thank you.

Mr. Lucas states rather than me go through everything in detail a lot of us have to remember the specific changes we made to the Ordinance we have already made the changes to the Ordinance to make it clear right before your last meeting and it's in this packet to make clear this area here that is owned by the School District and not by Montrail we wanted to make it clear that the property Montrail is part of the R-2 and this little bit on the end is the School District and is institutional so it's not R-2 or R-3 we cleared that up before the last couple of weeks before the last meeting and it wasn't in the original packet it's in these packets.

Mr. Lucas states they will address any questions. Jeff Staub will answer questions any civil issues and some more issues and Greg Greasy, Traffic Engineer to address any issues on the traffic. Chris and Rich and I can address any questions on the application.

Mrs. Lindsey asked Diane if there were any more concerns from the resident's that live along Union Deposit there was one gentleman from the last meeting and asked if she heard any more from him Diane stated that she has not heard from anyone. Mrs. Lindsey said she was just making sure.

COMMISSIONER COMMENTS

Mr. Lighty asked for commissioner comments.

Mr. Reardon said last Monday they resubmitted the zoning request to previous rezone

PUBLIC COMMENTS

Mr. Terrance James I live at 5520 Union Deposit Road I have lived there since 1969 and I also own the property 5524 Union Deposit Road which is adjacent to the entrance of Montrail and it's the only entrance I know that it was proposed to put a driveway out towards ????. Drive the township has a problem north/south traffic to begin with you have a job right here with Page Road Extended which is going to cause a problem also the traffic control that they done I don't know why they did it when school was out before Bishop McDevitt High School was even in use right now in front of my property there are 6 or 7 buses that go by there every morning between 7:00a.m. & 7:30a.m. and at 3:00p.m there are 8 buses that go by and they are both from Bishop McDevitt and Central Dauphin. I have a problem with not having any access besides one driveway. There is another access area here and said they could put in a temporary emergency access area here I don't know why they couldn't put in a regular access in to make up the traffic. I don't know why Dauphin County Planning Commission on April the 13, 2013 recommended this approval of the re-zoning and I don't know what happened between now and then the gentlemen said it was approved so they say. It says Dauphin County Planning Commission recommends the approval of the re-zoning amendment plus to change parcel 3506-098 from residential low density to residential medium R-2 and that this attached comprehensive plan should be amended to reflect the current land use in the zoning ordinance. So it was requested to put townhouses in there I couldn't see the drawing of the townhouses are going to go but I'm sure they are going to go here am I correct?

Mr. Schoonmaker answers that is correct.

Mr. Terrance James states which is right in my back yard there's not going to be a buffer zone you said you might plant trees there I don't know what kind of buffer you said. At my account I have no problem with the 57 R-1 houses or didn't have a problem in 2006 when they reduced it to additional or cluster housing and reduced the size wise. I do have reservations about having townhouses I know that somebody Mr. McNoughton??(not sure of name he said) or someone said that you have less traffic with Townhouses then you do with R-1 development and I disagree with them. So at this time that I recommend that the townhouses need to be disapproved and the zoning needs to remain at R-1 traditional housing. Thank You.

Mr. Lucas stated as for the traffic Greg Greasy said the traffic study was done after Bishop McDevitt opened it was done in January 2013.

Mr. Lighty stated that Bishop McDevitt was not opened the time that the traffic study was done. It was also done during Christmas vacation midwinter holiday.

Mr. Lucas asks Greg Greasy Traffic Engineer to come up and explain the details.

Mr. Greasy Traffic Engineer Grove Miller Engineering stated they did the traffic counts from the 7th through the 9th of January so it would have been after after the Christmas holiday break so the kids would have been going back to school so that is when the traffic counts were taken.

Mr. Lighty said so Bishop McDevitt was opened.

Mr. Greasy replied yes they opened after their Christmas break.

Mrs. Lindsey said they opened on the second week of January they didn't go back on the 7th so it would have been the following week.

Mr. Greasy responds and said that would be the week of the 7th the middle of that week.

Mr. Lighty said so you did your study when school was operating.

Mr. Greasy said let me triple check. That would have been the second week of January the 7th. Yes that is when we did the check.

Mrs. Lindsey said ok.

Mr. Lucas I think our plan shows that the entrance was approved by PENN DOT and was constructed in 2009 it's a boulevard entrance so it's divided so at the entrance if there's an issue with one side lane blocked you have to go use the other one and we worked out that were going to have it easier for the school district to have emergency access the cul-de-sac and there will be a Knox box there for emergency services to access.

Mr. Lucas with Greg's traffic analysis was that the traffic study analysis that was done for the approved 57 lot family-detached dwellings sub division in 2006 and they needed an analysis with this change and have single family detached dwelling and townhouses and whether the driveway could handle this.

Mr. Greasy the analysis shows that the additional traffic counts and more units that have been proposed that before the driveway project that everything is at Level of Service C and on the side street and the left turn lane going to Union Deposit Road that is still going to be adequate lane for the proposed traffic that will be going into the site in addition the project goes to land development phase we will be doing a full traffic study of the driveway of the Page Road Extended and Union Deposit Road and Rutherford Road and we will work out the scope with HRG when we develop the full study.

Mrs. Lindsey asks Mr. Lucas who has the access to open the emergency exit.

Mr. Lucas said the Township emergency service will have the access. I think it's typical when you have the Knox Box they can use that to open the gate and that will be emergency access.

Mrs. Lindsey asks and that would be 24/7?

Mr. Lucas said yes access 24/7.

Mrs. Lindsey said just like they have a Bishop McDevitt.

Mr. Lighty said it is better than the McDevitt one.

Mr. Lucas said so now that we have a part land development we will have an actual Easement agreement. Rich Leatham of S & A has met with the School District a couple of times and worked that out and we will have an actual Easement agreement for reporting with the plan.

Mrs. Lindsey said now where that emergency exit is if that should happen during the course of like 2:30 to 3:00 when the buses are all there can the people from that development get out into the School District property if the buses are there? Can they pass by because the buses are pretty tight in front of the school when their letting out in the afternoon.

Mr. Lucas said we will have to work out their land of development. I think in my experience when dealing with resident developments when you have a boulevard entrance it's pretty rare that you have both lanes blocked. Because that's the purpose of the boulevard is that if there is something happening on

the one side you still have the other side and police can direct traffic in and out of there. Fire and police can direct traffic in and out of there and that is a pretty common situation.

Mr. Lucas gave an example in 1983 Goodrich development had 300 houses in there and never had an issue and I lived there since 1983. Jeff does the subdivision plan and Greg does the traffic study and the sub division and we work that detail out as soon as possible.

Mr. Lighty asked Mr. Lucas to go over the Buffering.

Mr. Lucas said Chris can explain.

Mr. Schoonmaker said one of the things that we talked about is try to do a natural buffer along here and what you see is we have white Pines and red Buds so it would be a natural buffer here as mentioned before right now were showing about 70ft behind here as part of the ordinance so it would be 55ft from the property lines to the back so it would be no impervious that would be more open space so in terms of a ballpark were proposing to do a natural buffer verses doing some type of fence and we have talked to the staff so basically you would see red buds and pines would be the buffering along the rail.

Mr. James asks if they are going to relocate the waterlines that go under the bud trees.

Mr. Lucas states the waterlines will be part of the sub division plan design and will have to be adjusted where the waterlines are exactly and where the trees go because that's a 25ft distance on the setback so think we should be able to work that out. We should be able to have it beyond the 7ft and we will have to work with the water company on that.

Mr. Lighty said that all gets addressed with who?

Mr. Lucas said it all gets addressed with Sub Division and Land Development and we will have to add the details onto the plans.

PUBLIC COMMENTS

Mr. Lighty asks the audience if they have any questions.

There were no questions.

COMMISSIONERS COMMENTS

Mr. Guise asked about the storm water plan.

Mr. Lucas states basically from the approved subdivision plan for 2006 we have made a significant amount of changes.

Mr. Staub states the plan was approved for 57 lots the only storm water controls were some infiltration basins and new plans not only to bring controls up were going to have detention basins on this site as well.

Mr. Lucas said so the existing plan for the 57 single family detached dwellings did not have any detention.

Mr. Staub said at that time the Act 167 plan designated this area as provisional no detention area and that's how the storm water plan was developed.

Mr. Lucas said so you will have detention now because the Act 167 Plan plus the DEP and the PDS changes

Mr. Guise said thank you I understand.

Mr. Lighty asked if there are any questions.

Mr. Lighty asked for the vote of the Ordinance 13-02

Mr. Guise approved the motion R-1 R-2 residential.

Mr. Gingrich 2nd the emotion.

All say I.

The Motion for Resolution 13-12 Amendment to the 2004 Lower Paxton Comprehensive Plan.

Mr. Guise recommends 13-12 Amendment to revise the future transportation rezoning.

Mrs. Lindsey 2nd the motion.

Mr. Newsome said he votes against this. I know my vote will not cause a change in what is proposed. I think this is bad planning practice. I hope that somehow this interpretation will be adjudicated and brought to courts and planners have a chance to talk about this idea of zoning dictating the comprehensive plan.

Mrs. Lindsey, Mr. Lighty, Mr. Gingrich, Mr. Guise, Mr. Beverly all said I. Opposed Mr. Newsome.

FINAL SUBDIVISION PLAN FOR AMBER FIELDS,
PHASE VI #13-07

The Township has received a plan for the phase VI portion of Amber Fields Development, Phase VI consists of eighteen (18) single family dwelling units. The property is zoned R-C, Residential Cluster. The tract of land is located between Devonshire Road and Devonshire Heights Road, west of Nyes Road. This parcel was zoned R-1, Low Density Residential District, before rezoned to RC in 1992. The overall consists of 111.34 acres. The total area for Phase VI consists of 8.3 acres. The property is served by public sewer and public water. Access to the property will be through an extension of Cristian's Drive.

Mr. Joel McNaughton states he doesn't have a lot to add from what Diane said. Phases 1 thru 4 of Amber fields are all improved and built out. Phases 1 thru 4 are complete. Phase 5 which the Lower Paxton Township Planning Commissioners approved 6 months or so ago we paved the streets in that phase a week ago. The phase is now opened which is 18 lots which for Amber Fields in today's condition is a year to 18 month supply. This phase is the planning process necessary for Phase 6. Phase is an extension for Christian's Drive and will provide 18 lots complete. As Diane said it is served with Public sewer

public water and other underground utilities which is natural gas. We received various comments but we believe the plans are pretty clean and we certainly don't have a problem addressing the items as listed.

Mr. Newsome asked on Christian's Drive there is a right away that shown with an extension in some future perhaps to Camden Drive. At the end of the street there is a temporary turn around. If you could refresh my memory this is a crossing of the wetlands. Did we take any action on this crossing of the wetlands or were there any discussions on how this would be done? Have you solved permits for this crossing?

Mr. McNaughton stated that there were some wetlands indicated with the preliminary plan in this area as we moved into the plan associated with phase 6 and it will require additional permitting as we move forward with Phase 7 & 8 whichever phase that road extension is.

Mr. Newsome said well this presents a conundrum for me that were approving temporary turnaround as indicated here and yet make it a permanent turnaround. Could we come back at a later date and if you are unable to get that permit and make that a permanent turnaround that's directed at the end of that drive.

Mr. McNaughton states that he's comfortable with that and we've discussed that wetland crossing with our environmental experts and he certainly doesn't think there are any issues or problems with pertaining a permit for what we're proposing in that crossing that were comfortable even though it says that crossing should not be permitted that this would become a permanent turnaround then that would be ok.

COMMENTS FROM THE AUDIENCE

Mr. Lighty asks any questions for the Engineer from the audience.

No questions asked from the audience.

COMMISSIONERS QUESTIONS

Mr. Lighty asks for questions from the audience.

Mr. Gingrich asked about the temporary turn around in Phase 7 which is not necessary now.

Mr. Newsome 2nd the emotion.

And a unanimous vote followed.

New Business

Revised Preliminary Subdivision & Land Development Plan for Shadebrook #13-09

Fishing Creek Valley Associates has submitted a revised plan for the development of Shadebrook Traditional Neighborhood Development. The property is located at the intersection of Fairmont Drive and Cider Press Road. The original project site was known as the Kocevar Farm and consists of approximately 108.828 acres. The property is zoned R-1, Low Density Residential District with a (TND) Traditional Neighborhood Development Overlay.

The area to be developed is 84.373 acres and will consist of two hundred sixty one (261) residential building lots, two (2) commercial lots, ten (10) open space lots and (1) residual lot that is located in the south side of Union Deposit Road.. The site will be served by public sewer and Public water. One hundred ninety-seven (197) single family residential units and sixty four (64) twin dwellings are proposed.

Waiver Requests:

The applicant has requested the following waivers:

1. Waiver of the requirement that side lot lines shall run perpendicular or radical from the street right of way line. [180-506.A.2] **Staff Supports**
2. Waiver of the street right-of-way and cartway widths requirement for minor and collector streets. [180-503.C.1] **Staff Supports**
3. Waiver from the horizontal radius for collection and minor street requirements. [180-503.H.2] **Staff Supports**
4. Waiver from the maximum street grade requirement for collector and minor streets. [180-503.L.I.B.] **Staff Supports**
5. Waiver from the minimum paving requirements for off-street parking lots and alleyways. [180-503.E.1 & G.1.] **Staff Supports since pervious paving is proposed.**
6. Waiver of the requirement that dead end street (alleys) are prohibited unless designed as cul-de-sac streets, waiver of the maximum length of a dead end street and number of units to be served by the same. [180-503-F.1,2,3] **Staff Supports with the exception of the termination of Road C near Lots 82 and 83**
7. Waiver of the requirement to provide clear sight triangles of collector (150 feet), minor, private or driveway, 75' (each leg) [180-530.K.3] **Staff Supports**

8. Waiver of the requirement to provide intersection sight distance and clear sight triangles and for driveways intersection a street. [180-503.K.1] **Staff Supports**
9. Waiver from the requirement that intersections shall have a leveling area of 4% within 60' of the intersection of right-of-way lines. [180-503.J.5] **Staff Supports**
10. Waiver of the requirement that corner lots driveways shall not be located less than 40' from an intersection [180-503.L.1] **Staff Supports**
11. Waiver of the requirement that driveways shall not be located closer than 5' from an inlet or a fire hydrant. [180-503.L.3] **Staff Supports**
12. Waiver of the requirement for providing vertical curves and natural grades exceeding 105. [180-503.L.2] **Staff Supports**
13. Waiver from the requirement from the minimum separation distance for intersections due to existing conditions. [180-503.J.4] **Staff Supports**
14. Waiver of the requirement that block lengths shall have a maximum length of 1,600 square feet, minimum 300'. [180-505 B & C] **Staff Supports**
15. Waiver of the requirement to provide sidewalks along Union Deposit Road and along Fairmount Dive. [180-508.A] **Staff Supports**
16. Waiver of the requirement to provide curbing along Union Deposit Road and along Fairmont Drive. [180-509A & B] **Staff Supports**
17. Waiver of the requirement to allow storm water conveyances to accommodate flows with less than 2.5 FPS velocity. [170-502.N.2] **Staff Supports**

Dianne states that Mr. Jeff Staub is present from Dauphin Engineering representing this claim.

Mr. Lighty asks if anyone has any questions for Dianne.

Mr. Staub states he's representing Dauphin Engineering we did prepare this revised plan for Shadebrook. We have received comments from the County from HRG and from Dianne and also from ?? and the C.P. Fire Chief and the Police Department. Fortunately we received most of these comments that we had in our possession for several weeks and we've had a chance to study them try to formulate responses to them and we have had several conversations with staff and a meeting today with Dianne and Steve we talked about some of the Engineering comments. What I would like to say about the waivers the lengthy list of waivers the waivers that were requesting with the revise plan are essentially the same waivers that we requested from the previous plan the only issue that were having is about providing temporary cul-de-sac and at the end of the dead end street Road C both Dianne and Steve are recommending that a temporary cul-de-sac be placed there and we are in agreement with that and we will be doing that. If it comes to the point where this month or next month the Planning Commission makes a recommendation whether to approve the waiver request we are going to provide a temporary cul-de-sac.

Mr. Staub asked if there are any questions on the revised plan

Mr. Staub said he would like to make one more comment about the plan is that in concept with this TND and revised TND there's a lot of similarity with the preapproved TND plan the details are quite a bit different but the concept is the same.

Mr. Staub asks again for any questions.

Mr. Lighty asks what in relationship to the revised plan which is really a new filing. What is the relationship of the revised plan as to the new master plan? Did the first master plan cover this revised plan?

Mr. Staub said we treated this application from the engineering and wrote out the provisions they have gone through all the elite steps and they all seem to be in favor of the same concept to go with the same layout streets and the same features.

Mr. Lighty said he thinks that's the right way to handle it.

Mr. Lighty said next is the Architectural Booklet that is part parcel we are supposed to consider it. I know that part is not quite ready what is your feeling that is it to get it submitted at some point when will that be handled?

Mr. Staub states we had a project meeting about two weeks ago we talked about the plan and the comments that we received in that meeting the Architectural Guidelines the booklet we had a discussion is how to edit because were in the process of getting the Architectural Guidelines edited and two major provisions to that would be.

1. The old guidelines has major details about townhomes and were not proposing townhomes in the revised plan.
2. The architecture is the curb appeal look of the commercial building to the extent that the commercial building are quite a bit different with the revised plan than the original Shadebrook plan.

Those details are going to be addressed were expecting to have the revised Architectural Guidelines before the next deadline about two weeks from today.

Mr. Lighty said two weeks to file the Architectural Booklet. He asked to give a hard date

Diane said 21 days to come back before the Planning Commissioners.

Mr. Guise said that the next meeting is July 3, 3013.

Mr. Staub said that's a pretty tight schedule.

Dianne said she just got the plans today so next week is the Planning Commissioners meeting that would be 21 days.

Mr. Lighty said let me revisit it. Supplemental information??

Steve we need an extra week.

Mr. Lighty is everyone ok with the time frame?

Architect said this Architectural planning to details as you know is quite challenging on how it works in conjunction with everybody. Paul Hepler is on a strong schedule and my only concern is that we want to do it right and complete it if it isn't done the way everyone agrees we can just post pone and do it right and get it back in here. It is an entity process being the Vice President I think we should be able to do that tomorrow but my friends here are telling me to back off a little bit so we can make sure it's done right so we will make every effort to get it done. It is done right now the reason we don't have it front of you the new plan the revised plan is somewhat different enough and confusing to put it in front of the Board. We understand your deadline date and every effort will be made.

Steve said since it's only the Architecture Guideline if you want to give us an extra week we can do a turnaround 2 weeks 14 days if that helps your staff. A revised sub-division land and development plan we like to see in 21 days.

Mr. Lighty said it's just component of the revised plan.

Dianne said ok.

Paul asked what's the actual date.

Dianne said July 12th is the plan is due and one week after that July 19th the Architectural Guidelines is due.

Mr. Guise asked if Mr. Staub will be submitting a revised plan based on that we have all these changes to all these comments.

Mr. Staub said no it's not possible what we can do is come to some agreement with the staff to make revisions in response to the most important comments .I'm not sure how Steve or Dianne would feel about whether they would want a ½ baked pie or not.

Mr. Guise said at some point there will have to be a plan made that reflects all of it desires and has all the corrections. He said you agree with that don't you.

Mr. Staub said oh yeah. The other side of the coin is I don't want to speak for Steve and Dianne I think in a general sense is the comments that we have received even though there's number of them we have reviewed them I think their fairly benign. There's a lot of housekeeping items and there's several items on our part particularly the easement plan it might take us three weeks just to do the easement plan it's very detailed work and tedious work. It's not necessary critical in the sense of the planning and whether you can evaluate the proposed project in a favorable way by not having that detailed information.

Steve said we met with Jeff today to go over a number of comments which he identified as regular comments to their design we believe that if you address those problems with the revised plan we would be able to support on conditional approval at that meeting and identify the remaining comments of minor nature and cleanup items to be addressed prior items which is consistent with what we do for other plans with this project being larger and more detailed??

Mr. Lighty said normally so many things can go wrong and it's important to make sure when we vote that we know exactly what it is and any changes and address all the comments or any other additions.

Steve said and that's what I'm used to.

Mr. Staub said it took two days for us to print this.

Mr. Lighty said what about electronically exporting the PDF just because of the size of the plan. Would that help?

Mr. Staub said the printing of the 17 sets took two days to print and we sent it out to print stat we didn't do it in house and when we received the bill it was \$6000.00/

Mr. Lighty said that's why I'm asking if it's possible to use the software and export the PDF.

Mr. Staub said maybe it's possible and we could just send a hard copy to the Township and the Engineer and then do a follow up submission.

Mr. Newsome said and all pages did not have to be redone.

Mr. Lighty said the original plan had going in garages I thought that was a fantastic feature and some people ruined the ordinance on purpose.

Mr. Staub said that wasn't discussed initially what we had thought about proposing from my perspective living units above the commercial we didn't do what I call live work-ins their not really called that it's more like a small apartment above the garage.

Mr. Lighty said their called In-Law suites.

Mr. Staub said our revised master plan did not show that. If the Planning Commissioners are interested in that additional housing selection.

Mr. Lighty said I remember when we wrote the ordinance to specifically allow that. That is the only place that it is allowed and it seems to me that would add value to the product ??

Mr. Newsome said he was just at a development in Wilmington, N.C. and that had 50% of the building this arrangement and it has been a big selling point for that development. I have a friend living in there that is why I know this and they commend it for a premium price. He said that's what I would like to see.

Mr. Staub said whatever the percentage it is I think it's 5 % of that type of that type of housing development I can't imagine why we wouldn't add that to the master plan. I'm sure we will.

Mr. Engineer? Said we would defiantly add those to the master plan it's just a matter of making sure that we know where we are with their density. Which an additional 5% of single family homes with detached garages.

Mr. Lighty said not separate units.

Steve said there are all kinds of restrictions and it can only be so big.

Mr. Staub said it can only be so big so many bedrooms.

Mr. Lighty said I think its 2 bedrooms maximum. That's the kind of product that I would love to see but none of them are shown on the plan that should be on the plan and get an approval.

Mr. Lighty said that will be done.

Mr. Staub asked Steve on your page (3) number 4 you recommended that the driveways be placed adjacent to one another to share. Let me just say I currently live in a situation like that my neighbor is great in sharing my driveway. Many other folks in my development that's not the case they always

have different schedules when they want to put down the blacktop sealer and you have to agree on that schedule and it doesn't seem to work that well. Would you be willing to withdraw that comment or would you be offended.

Steve said I'm offended the ordinance recommends over a view stand point and observing other developments. I don't personally think that it's a great idea but the recommendation is in there because it's listed in the ordinance I figured that we discussed it with Jeff today and they could evaluate it on whether or not they want to have shared driveways if they don't they can report back. I don't believe it to be consistent with other neighborhoods which is designed to reflect older communities you have narrow driveways with attached garages that's consistent with shared driveways. I believe it's more out of interest to use reduced pervious coverage an older concept. Therefore; I would desire not to have the shared driveway concept.

Mr. Lighty said page (3) number 11 Walk K is greater than 3' high.

Steve said I would have to look at this particular situation a little bit closer. I believe the walk that's close to the house is creating restrictions I don't think that the grade separation is that far off from the 3' that potentially Jeff could take a closer look at it and disclose the foundation a little bit more to use the house foundation as a retaining wall.

Mr. Lighty said so that the houses are not anywhere near on cliffs.

Steve said as long as it's not a situation where you have a 10ft grade separation you can usually hide the foundation with landscaping.

Mr. Lighty said number 14 the buffer around the commercial building and the parking lots and along lots 216-223. Steve I don't know if you know this or not but that Vo-tech makes a lot of noise and it's not the students at night they have machinery or he HVAC or something that is really loud and it's also very bright that whole campus is lit up at night it's very bright the buffer between the lots and the Vo-tech school I think are very narrow. The buffer between the parcels and the soccer field are not a good idea, plus the Vo Tech School put in buffers when they came in. Your thoughts on that?

Mr. Staub asks that you are looking for additional buffers on the Western side? Mr. Lighty answers yes Western side and the very northwestern side whatever it takes to strengthen the Vo Tech building, it is a very obnoxious kind of building. Mr. Straub is getting nods of approval on that one.

The Engineer said he was in favor of no buffers between the soccer fields and the yards that arc created and that line that line. Our conversation was positiveness about that soccer field, people living there and being able to access it or being able to attend events or being able to have a choice about those things between the lines as opposed to a solid tree or a staggered tree or mount of buffer. We strongly support no buffer in that area.

Mr. Lighty said that the housing units that do buffer, do this at Spring Knoll. Your previous plan have the drawing detail in here there is a berm planted. I still think that's necessary and its necessary for several reasons. The units of Spring Knoll are easier and closer together and the buffer I think will make good neighbors. So can that be added to your revised provisions?

Mr. Staub states that is the areas we have already made changes to, that and a some additional buffering around the commercial parking lot on the northside of Fairville. The northern building and the parking lot just north of the northern building has all been revised and the landscaping plan to add

buffering there. Mr. Lighty asks which northern parking lot? The upper part and you would still be expanding there?

Mr. Staub states that over here the old plan indicates that over right along pretty much along the school that turns down, we actually looked at refuse landscaping of this and copied that, it's all most identical to the berm. The species, the spacing, the staggering of the berm. Kind of like the south resemblance. Mr. Lighty asks if this is in this paper. Mr. Staub states it is not.

Mr. Lighty believes that this a good idea and it gets this development fewer complaints. While in that corner there is a walking path that goes thru that development, I think it should be connected to this area. I have two concerns there, if it's just grass the folks won't know its walking path to getting to the commercial street path. These two among others I think will ban, they are not going to want that there unless it is made pretty. I think that should be impervious and should be another walking path. If it can be coordinated with the Heatherfield Home Owners Association and tie it together.

Mr. Newsome has a questions about this park. Why is this park spoken out as a park instead of including it in as a central common area? Mr. Staub states that I guess we could that, there is going to be some parts in here bunches. Mr. Newsome asks, then it's a separate lot? Mr. Staub responds yes. There may or may not be a reason to have the property line. Mr. Newsome says to take the property line out, that it does not change anything it just touches uniform a certain way. Mr. Staub asks if it penalizes anything? Mr. Newsome says no.

Mr. Lighty states that is all he has on buffering. He turns to comment 40, railing on wall have to be 4" or higher so far recommended. Mr. Fleming says its code requirement that walls over 42 inches. Mr. Lighty is just saying that architecturally sometimes he has seen places that 4 feet high of rail than built 4 feet 1 inch thick. What I have seen is 6 foot our compatibility to build two 4 foot walls to avoid doing the railings if they have the space to do that. That is something I would suggest if you need to, to avoid railings and keep this looking nice. Mr. Fleming states that they have been asked about that a couple times in the future to require a landing area to speak. I don't know if the building codes a 100 percent on a regular basis but this kind a research, it is required building area if something falls first wall and will continue down the second wall and there is also a requirement the engineering must have certain separation and has to be treated as one wall or a structured path foundation?.

Mr. Lighty states number 44, they have a traffic calming plan. The whole idea of a TND is the places of the whole traffic, who sees that? Mr. Fleming answers that it is more of a technical review just assigned by the Traffic Engineer. Mr. Staub and Mr. Fleming discussed this that the Traffic Engineer reviews his design with different traffic featured in the development to insure properly spaced and dimensionally designed so they don't cause a problem with traffic engineering requirement even though not being a traffic engineer in a development plan.

Mr. Lighty says the old plans came before us show the adjility to the speed bumps and speed tables. We used to put that all on the plans, we use to have a requirement but not in the plan. This is a different kind of plan, the whole village is a traffic company. Mr. Fleming states this is more of a quality than a technical review of a certain feature may not necessary be appropriate for a certain volume of traffic or a certain situation or proximity to another traffic common ailments. I would not want traffic to get a bad name because we were trying to do the right thing but it wasn't executed in the best way. The traffic engineer take the plan and take the next step in making sure the developments turn out well. Mr. Lighty asks where in the time line does that happen? Mr. Fleming answers that it is technical review, the developments are played out now it could be a condition and doesn't hold

anything up. Gregg the Traffic Engineer, give him the blessing of these comments and traffic features should not change materially nor conventionally.

Mr. Lighty states that County comment number 1, there is a discrepancy with the road width. Mr. Straub answers that there are two dimensions on Fairmont Dr. on the right of way. One is the existing right of way the 48 and the other larger width is _ ? It is very confusing to look at because there is so much information on this plan, so it's a typo. Mr. Lighty goes on to state that when something is being built like a TND, with narrow alleys and widths the Firemen are not happy but at least service anyone? Mr. Straub answers that to the extent of the concern of rayon in the alley and access they will check with their turn widths_? Mr. Lighty states that in their comments they gave you the width that they need to turn and width of what the alley is. Mr. Straub states that in their defense the operator width is 16 feet is the narrowest part of the alley. If they extend out riggers completely it will still be 16 feet on pavement but must be in center of alley. Mr. Lighty questions he is not sure who is going to speak with them? Ms. Moran asks Mr. Straub if he is going to speak to the Fire Marshall? Mr. Straub answers yes.

Mr. Lighty states that the Police Department submitted listed a lot of signs. It is possible to over sign something, example Linglestown Circle. Doesn't know if all signs needed or not seems like some is overkill. Keep right signs are they really needed. Not sure whom is the appropriate party is to have a conversation with in the Police Department and whom is the authority it is to order the signs that have to be there. Let's not overkill, it is supposed to be a traditional neighborhood. Mr. Fleming answers that it is the Township that produces the signs. Mr. Lighty asks who says how many they will need and where they will go? Mr. Fleming states typically it is reviewed by Traffic Safety Mr. Lighty asks who is on the Traffic Safety Committee? Mr. Fleming answers members of the Public Works, the Police Department. Mr. Lighty asks if they understand what a TND is? Ms. Moran says that they reviewed the initial, Sgt. Waller prepared this memo and is overbearing, possibly Mr. Straub would like to meet with Sgt. Waller and the Fire Marshall together. Mr. Lighty states that there is an awful lot to him, and there is a tendency to over sign things. Mr. Straub states his concerns of the memo for the same reason. Mr. Fleming says that that is possibly something the Traffic Engineer can review the list of signs and minimize.

Mr. Lighty questions the fountain shown on the plans? Straub answers that it completed on the Master Plan and it was an oversight, we understand. Mr. Lighty has fallen in love with the fountain, used to be on the plan.

Mr. Fleming states the final comment something that came up during the last plan submission, I believed we talked about it, it's in the formal comments but is more of a User HOA issue, probably more of a concern is future storm water. How additional pervious areas will be considered and managed by the Homeowner Association, storm owner moderation has changed each property has been given up to 1,000 square feet of additional pervious over what is designed and on the development plan so I think it would be good foresight for the development plan, for the patios, decks and those kinds of things, extend the driveway out a bit. I don't think swimming pools will be a problem with this development, lot size fairly small, but I could see if everyone wanted to build a 1200 square foot patio it would be problematic. The storm water and inducers is typically what they use, put in stone. If they over design for storm water and pervious coverage on each lot a little bit that makes it important to document that we asks to identify each impervious coverage for each lot. Think to the future how that can be accommodated. Mr. Straub states that the HOA has to come before the Architectural Review Committee and get any kind of comments approved. Mr. Fleming states that is goes to a review community but it is something to think about and how it is accomplished otherwise, if

everyone wants to add a patio they are going to have to hire an Engineer and have a contractor come in and they can review the community.

COUNTY COMMENTS

Mr. Lighty asks County comments anything like this, Lancaster County the closet.

AUDIENCE COMMENTS

Mr. Lighty asks Audience anyone wishes to comment on this plan?

Mr. Lighty asks for the Motion-Mr. Gingrich gives the motion and Mr. Newsome seconds the motion, all in favor said I, unanimous vote.

Paul Hepner, Vice President of Fishing Creek Valley Associates was present and wanted to thank the board for recognizing time due and an interest in the project. It is important to us and has been a long time coming and we really appreciated questions tonight and appreciated suggestions all along and we will continue to work hard at it and do our best to get everything back neatly. Mr. Newsome stated that they recognized them, recognizing what the Board does. Mr. Hepner says Thank You he appreciated that.

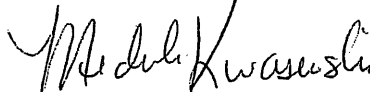
PUBLIC COMMENT

Mr. Newsome asks Mr. Chairman that we have been in February, the expansion of the Parking lot and building of the Horning Plan. Do we still need to keep this paper? Mr. Straub says keep it. We get conflicting signals from Mr. Horning about which direction he wants to go. We have been directed to finish revising the plans based on plans that need corrections.

Motion adjourned by Mrs. Lindsey, Mr. Gingrich seconds the motion. All adjourned.

Next meeting scheduled for July 3, 2013 at 7:00pm. Meeting adjourns at 8:55pm.

Michele Kwasnoski



Recording Secretary